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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,866	03/26/2001	Rabindranath Dutta	AUS9-2001-0230-US1	8104
40412	7590	05/04/2005	EXAMINER	
IBM CORPORATION- AUSTIN (JVL) C/O VAN LEEUWEN & VAN LEEUWEN PO BOX 90609 AUSTIN, TX 78709-0609			NALVEN, ANDREW L	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/817,866

Applicant(s)

DUTTA, RABINDRANATH

Examiner

Andrew L. Nalven

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-3, 5-15, and 17-20 are pending.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-3, 5-15, and 17-20 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-2, 9, 13-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Independent claims 1, 9, and 13 provide the limitation of "comparing the stored customer security features to the ticket holder." As provided in claims 2 and 14, customer security features may include a digital signature. It is unclear to the Examiner how a digital signature may be compared to a ticket holder.

#### ***Claim Rejections - 35 USC § 103***

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5, 9-10, 13-15, 17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa et al US Patent No. 6,527,173 in view of Berson US Patent No. 5,598,477.

6. With regards to claims 1, 9, 13, Narusawa teaches receiving a card from a cardholder (Narusawa, column 12 lines 25-27), the card including a card identifier and one or more customer security features wherein the customer security features identify a customer associated with the card (Narusawa, column 10 lines 15-35, photo in database and on card), scanning an identifier printed on the card that corresponds to the card identifier (Narusawa, column 12 line 60 – column 13 line 4, reads CGH data), retrieving one or more stored customer security features corresponding to the card identifier in response to the scanning (Narusawa, column 13 lines 16-21), comparing the stored customer security features to the card holder and to the customer security features included on the card (Narusawa, column 13 lines 20-52, compares), and accepting the card in response to the stored customer security features matching the card holder and the customer security features included on the card (Narusawa, column 13 lines 40-42, certifies cardholder). Narusawa fails to teach the scanning of a barcode and to security features being directed towards a ticket. Berson teaches the scanning of a barcode printed on the ticket that corresponds to the ticket identifier (Berson,

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column 4 lines 10-12). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Berson's scanning method and ticket methods with Narusawa's card validation system because it offers the advantage of ensuring proper validation and security for tickets that have substantial cash value (Narusawa, column 1 lines 10-19).

7. With regards to claims 2 and 14, Narusawa as modified teaches the at least one customer security feature being selected from the group of a photograph, signature, digital signature, fingerprint, and a customer description (Berson, column 3 lines 61-67, digital signature; column 3 line 66, Narusawa column 10 lines 30-35).

8. With regards to claims 3, 15, Narusawa as modified teaches the determining whether the ticket identifier is bound to any security features and accepting the ticket in response to determining that the ticket identifier is not bound to any security features (Berson, column 4 lines 19-22, validation by system operator).

9. With regards to claims 5, 10 and 17, Narusawa as modified teaches the sending of a request to a security server, the request including a customer identifier that uniquely identifies the customer of the ticket and receiving the stored security features from the security server in response to the request (Narusawa, column 13 lines 16-22).

10. With regards to claims 8 and 20, Narusawa as modified teaches the denying of the ticket holder in response to the stored customer features not matching the ticket holder and the customer security features included on the ticket (Narusawa, column 13 lines 30-52, Berson, column 5 lines 26-29).

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11. Claims 6, 11, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa et al US Patent No. 6,527,173 and Berson US Patent No. 5,598,477, as applied to claims 5, 10 and 17 above, and in further view of Sansone US Patent No. 6,454,174. Sansone discloses a method for reading electronic tickets.

12. With regards to claims 6, 11, 18, Narusawa as modified fails to teach the sending of a merchant identifier. Sansone teaches the sending of the merchant identifier to the security server (Sansone, column 7 lines 4-8, venue data), wherein the receiving of the security features is performed in response to the merchant identifier being authorized by the security server (Sansone, column 7 lines 17-21). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Sansone's security methods with Narusawa as modified because it offers the advantage of allowing for the remote verification of a ticket at a merchant's site (Sansone, column 1 lines 53-64).

13. Claims 7, 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa et al US Patent No. 6,527,173 and Berson US Patent No. 5,598,477, as applied to claims 5, 10 and 17 above, and in further view of Bruce Schneier's Applied Cryptography.

14. With regards to claims 7, 12 and 19, Berson as modified teaches a means for encrypting the request to the security server (Berson, column 6 lines 10-29), but fails to teach the request including a digital signature identifying the merchant. Schneier teaches the application of a digital signature (Schneier, Pages 34-35, Section 2.6). At

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the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Schneier's digital signature method with Berson as modified because it offers the advantage of providing the receiver assurance that the document is unaltered and assurance regarding to the source of the request and signature (Schneier, Page 35, Section 2.6).

### ***Conclusion***

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

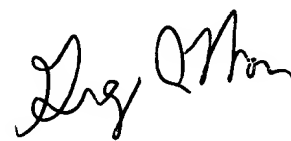
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16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L. Nalven whose telephone number is 571 272 3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 571 272 3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrew Nalven



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